

ORDINANCE NO.140
(Later amended - See Ordinance No. 154)

AN ORDINANCE REQUIRING CERTAIN BUSINESSES, TRADES, AND/OR OCCUPATIONS TO OBTAIN A LICENSE PERMIT TO AND TO PAY A LICENSE TAX THEREON, BEFORE ENGAGING IN SAME AND SETTING UP A METHOD WHEREBY SAID LICENSE PERMIT MAY BE OBTAINED.

WHEREAS, heretofore there has been a need for the regulation of certain businesses, trades and/or occupations which if allowed to be engaged in without regulation might become detrimental to the health, welfare, and morals of the citizens of the City of Dry Ridge and inasmuch as the City of Dry Ridge is desirous of preventing this from coming to pass.

NOW THEREFORE THE BOARD OF TRUSTEES OF THE CITY OF DRY RIDGE, KENTUCKY DOES ORDAIN AS FOLLOWS:

SECTION I. Before any of the businesses, trades and/or occupations listed in this ordinance shall be engaged in within the corporate limits of the City of Dry Ridge, Kentucky; the owner, operator, proprietor or manager (or his duly authorized agent) or interested

individuals shall first obtain a license permit therefor from said City and signed by its City Clerk; said businesses, trades and/or occupations covered by this ordinance are as follows:

GROUP I	GROUP II	GROUP III
(1) Bowling Alleys	(1) Junkyards	(1) Hawkers & Hucksters
(2) Carnivals and Circuses		(2) Itinerant Auction House
(3) Dance Halls		(3) Itinerant Merchants
(4) Places of Amusement generally		(4) Itinerant Photographers
(5) Pool Rooms and/or Billiard Hall		(5) Medicine Vendors (other than Drug and Drug Stores)
(6) Shooting Galleries		(6) Peddlers
(7) Street Fairs		

SECTION II. Before any license permit required by this ordinance shall be issued the owner, operator, proprietor, or manager (or his duly authorized agent) or other interested individuals shall first apply in writing, on forms obtained from the City Clerk, to the Board of Trustees of the City of Dry Ridge for a license permit to engage in or operate said business, trade or occupation.

SECTION III. The Board of Trustees shall consider the application at its next regular and/or special meeting and either order the City Clerk to issue said license permit or refuse to grant said permit.

The Board of Trustees shall not refuse to grant any license permit for any business, trade or occupation under Group I of this ordinance unless it shall find,

(1) That the operator, owner, proprietor, and/or any of the employees have been convicted of violating any statute of the Commonwealth of Kentucky, Ordinance of the City of Dry Ridge or other law other than traffic or minor violations or,

(2) There have been complaints from Citizens to the Board of Trustees as to excessive noise, or improper operation of the applicants business or,

(3) Said business has a location detrimental to other businesses, residences, churches, or schools, or

(4) If proof is shown that a house of ill fame or similar nuisance is operated on the premises for which a license permit is applied for, or by the operator, owner, proprietor or of same manager elsewhere.

The Board of Trustees shall not refuse to grant any license permit for any business, trade or occupation under Group II of this ordinance unless it shall find,

(1) That the location of said business would be detrimental to the health, welfare, and/or morals of the residents of the City or,

(2) That said location would be seriously detrimental to the enjoyment and/or monetary value of residences, businesses, or churches in the City of Dry Ridge.

The Board of Trustees shall not refuse to grant any license permit for any business, trade or occupation under Group III of this ordinance unless it shall find,

(1) Said business operation occurs with

ORDINANCE NO. 140 (Continued)

sufficient regularity and in a sufficient manner as to create a nuisance within the City of Dry Ridge, Kentucky, or

(2) Complaints have been received of unsatisfactory merchandise, services, or methods of doing business.

In the event said license permit is refused the Board of Trustees shall inform the City Clerk to notify the applicant in writing and shall state in said notice that the applicant may appear and be heard, either in person or by counsel, at the next regular or special meeting of the Board of Trustees if said applicant thinks the license permit was unjustly refused. The Board of Trustees shall then reconsider the case in the light of the facts brought out at the hearing and may either issue the license permit or refuse it.

SECTION IV. In addition to the above requirements having been met; before any of the businesses, trades, and/or occupations listed in this ordinance shall be engaged in within the corporate limits of the City of Dry Ridge, Kentucky, there shall have been paid an annual license tax for each such business, trade and/or occupation according to the following table:

GROUP I

1. Bowling Alleys - \$10.00 daily or \$150.00 annually.
2. Carnivals and Circuses - \$10.00 daily.
3. Dance Halls - \$150.00 annually.
4. Places of Amusement generally - \$10.00 daily or \$150.00 annually.
5. Pool Rooms and/or Billiard Halls - \$75.00 annually for the first table; \$20.00 annually for the second table; \$5.00 for each additional table.
6. Shooting Galleries - \$10.00 daily or \$150.00 annually.

GROUP II

1. Junkyards - \$10.00 daily or \$150.00 annually.

GROUP III

1. Hawkers & Hucksters - \$10.00 daily or \$150.00 annually.
2. Itinerant Auction House - \$10.00 daily or \$150.00 annually.
3. Itinerant Merchants - \$10.00 daily or \$150.00 annually.
4. Itinerant Photographers - \$10.00 daily or \$150.00 annually.
5. Medicine Vendors - \$10.00 daily or \$150.00 annually.
6. Peddlers - \$10.00 daily or \$150.00 annually.

The Clerk of the City of Dry Ridge shall receive the sum of \$2.00 for each of the above license permits issued by him; this sum is to be paid from the general funds of said city.

SECTION V. Any person or business organization found guilty of the offense of engaging in any of the businesses, trade or occupations listed above in either Group I, Group II, or Group III without having first obtained the required permit therefor and having paid the required license tax therefor shall be deemed guilty of a misdemeanor and shall pay a fine for the first offense of not less than \$25.00 nor more than \$100.00; and for the second offense a fine of not less than \$50.00 nor more than \$100.00; and for the third offense a fine of not less than \$75.00 or more than \$100.00. All offenses thereafter shall be subject to a jail sentence of not less than 5 days or more than 50 days and shall pay a fine of \$100.00.

It is intended by this ordinance that each day of engaging in any such business, trade or occupation shall constitute a separate

offense within the meaning of this ordinance.

SECTION VI. Before any parade, organized march, or motorcade, originating, being carried on, stopping or terminating within the City limits of the City of Dry Ridge, shall be permitted to do same, it shall be necessary for the person or organization staging or sponsoring same to procure a permit therefor from the clerk of said city, before the clerk shall issue said permit, he shall procure permission from the chairman of the Board of Trustees and the Town Marshall or Policeman of the City of Dry Ridge, to issue same. The Clerk shall receive a fee of \$.75 for each parade permit issued, to be collected at the time of issuance from the person or organization desiring said permit.

SECTION VII. Section VI is not meant or intended to cover any funeral, religious or similar parade or procession.

SECTION VIII. It shall be unlawful for any person or organization to explode or discharge any fire works display without having a permit therefor; said permits shall be issued only after compliance with Chapter 438 with of The Kentucky Revised Statutes and after payment of a fee of \$.75 to the City Clerk for issuing said permit.

SECTION IX. Any person or organization found guilty of violating either section 6 or 8 of this ordinance shall be deemed guilty of a misdemeanor and be fined not less than \$2.00 or more than \$50.00 for each offense.

SECTION X. The separate sections of this ordinance are hereby declared to be severable and invalidity of one section shall have no effect on the validity of the remaining sections.

SECTION XI. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION XII. This ordinance shall be in full force and effect on and after July 1st, 1952, succeeding its publication as required by law.

Passed and approved this the 8th day of January, 1952.

/s/ John B. Conrad, Chairman

Attest:

/s/ G.W. Landrum, Clerk